

The Georgia Board of Examiners of Licensed Practical Nurses met in Conference Room 104 of the Professional Licensing Boards Division of the Georgia Secretary of State, located at 237 Coliseum Drive, Macon, Georgia 31217.

WEDNESDAY, February 10, 2010

MEMBERS PRESENT:

Barbara Mitchell, RN, NHA, President
Jane Harte Sipple, LPN Vice President
Vicky Mack, RN, MSN, Cognizant Member
Le Ann Tuggle, Consumer Member

MEMBERS ABSENT:

Mary Lynn Owensby, LPN
Judy Hilliard, LPN
Jacqueline Barnes, LPN

STAFF PRESENT:

Sandy Bond, RN, MSN, MBA, Executive Director
Adrienne Price, RN, MSN, Nursing Consultant, Legal/Disciplinary
Janet Jackson, JD., Assistant Attorney General (Via teleconference)
Julie Fisher, Legal Services
Pam Candler, Board Support Specialist

PERSONAL APPEARANCES

NSG #1199442

BG #1208850

MAR #1177942

OTHERS PRESENT:

Hattie O'Bryant, Liaison (Attendance at open session)

Mrs. Mitchell called the meeting to order at 9:11 a.m. on Wednesday, February 10, 2010. Ms. Mitchell noted that a quorum was present to conduct business.

Ms. Mack moved that the Agenda be approved as written Ms. Tuggle seconded the motion and it carried unanimously.

LIAISON REPORT

Ms. O'Bryant thanked Ms. Mitchell for sending a letter to the Annual Meeting of the Georgia LPN Association outlining board activities. She reminded the group of LPN Day at the Capitol on March 10, 2010 and stated that the next convention is scheduled for October in Albany, Georgia.

BOARD MINUTES

Ms. Tuggle moved to accept the minutes of the December meeting as amended. Ms. Mack seconded the motion and it carried unanimously.

EXECUTIVE SESSION

Ms. Tuggle moved, Ms. Sipple seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§43-1-2(k); 43-1-19(h); 43-26-50 and 43-26-11, to *deliberate on applications and enforcement matters and to receive information on applications, investigative cases and pending cases and make recommendations to the Board on the above items.* The motion passed unanimously. Those voting to enter into Executive Session: Ms. Sipple, Ms. Mack, Ms. Tuggle and Ms. Mitchell.

At the conclusion of Executive Session on Wednesday, February 10, 2010, Mrs. Mitchell declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq.

EXECUTIVE DIRECTOR'S REPORT

Ms. Bond gave a brief update on administrative issues:

- The reappointment of Le Ann Tuggle and Jane H. Sipple as Board Members
- A "thank you" to Ms. Mitchell for assistance on Rules Revisions.
- On-line application procedures
- Upcoming Rules Revision based on H.B. 475
- Appointment of new Secretary of State – Brian P. Kemp

LEGAL SERVICES

(LPNI – Licensed Practical Nurse Case Number)

GMD – LPNI090202 Ms. Sipple moved to rescind previous Public Consent Order and proceed with licensure by examination with a private consent agreement and a fine of \$250.00 for failure to disclose. Ms. Mack seconded the motion and it carried unanimously.

JWA – LPNI100178 Ms. Tuggle moved to rescind previous motion and reinstate license with a Public Consent Agreement, a fine of \$2,800.00 for unlicensed practice and proceed with licensure upon receipt of signed order. The order is to be signed by Executive Director with express permission of the Board President. Ms. Sipple seconded the motion and it carried unanimously.

WTD – LPNI100164 Ms. Mack moved to rescind previous motion for a Public Consent Agreement and to proceed with licensure by examination and a private consent agreement with a fine of \$250.00 for failure to disclose. Ms. Tuggle seconded the motion and it carried unanimously.

Ms. Tuggle moved to accept the listing of signed consent agreements presented by the Legal Services Department. Ms. Mack seconded the motion and it carried unanimously.

SLA Case # LPN1199125

AMK Case #LPN1100131

VM Case #LPN1100113

JCC Case #LPN1100198

JMB Case #LPN1100116

PERSONAL APPEARANCES

(Applicant Number)

#1199442 NSG Ms. Mack moved to uphold the previous motion based on O.C.G.A. § 43-26-38(a). Applicant must graduate from an approved nursing program. Ms. Sipple seconded the motion and it carried unanimously.

#1208850 BG Ms. Mack moved to rescind the previous motion and proceed with licensure by reinstatement upon successful completion of a Board approved refresher program which includes 80 hours of theory and 160 hours of clinical. Ms. Sipple seconded the motion and it carried unanimously.

#1177942 MAR Ms. Sipple moved to refer to Legal Services for a Private Consent Agreement with a fine of \$250.00 for failure to disclose. Ms. Mack seconded the motion and it carried unanimously.

ENFORCEMENT CASES

(LPNI – Licensed Practical Nurse Case Number)

LPNI080154-VLB Ms. Tuggle moved to close the case. Ms. Sipple seconded the motion and it carried unanimously.

LPNI090044-BEP Ms. Tuggle moved to refer the case to the Attorney General's office for a Hearing or Consent Order to include indefinite suspension for criminal convictions and failure to disclose. Ms. Sipple seconded the motion and it carried unanimously.

LPNI080149 MLW Ms. Sipple moved to refer the case to the Attorney General's office for a Hearing or Consent Order to include indefinite suspension for refusal to accept Order for a Mental/Physical Examination. Ms. Tuggle seconded the motion and it carried unanimously.

LPNI090134 - SA Ms. Mack moved to order licensee to have an outpatient Mental/Physical Examination to be reviewed by the Cognizant Board Member. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Ms. Tuggle seconded the motion and it carried unanimously.

LPNI080196 -CP Ms. Mack moved to close the case. Ms. Tuggle seconded the motion and it carried unanimously.

LPNI080195 -CG Ms. Tuggle moved to close the case. Ms. Mack seconded the motion and it carried unanimously.

LPNI080262 - PJB Ms. Sipple moved to refer to the Attorney General's Office for a Public Consent Order requiring licensee to take Nursing Courses in Patient Rights, Universal Precautions and Wound Management. Ms. Tuggle seconded the motion and it carried unanimously.

LPNI080147 - JCF Ms. Mack moved to close the case. Ms. Tuggle seconded the motion and it carried unanimously.

LPNI080087- JES Ms. Mack moved to close the case, alert the system if reinstatement is attempted and notify South Carolina Board of Nursing of the results of the investigation. Ms. Tuggle seconded the motion and it carried unanimously.

LPNI080137 - PAA Ms. Tuggle moved to close the case and flag the system to obtain an Order for Mental/Physical Examination if licensee attempts to reinstate license. Ms. Sipple seconded the motion and it carried unanimously.

LPNI080254 - SBT Ms. Tuggle moved to refer case to Enforcement to obtain hospital records for patient on the date of death (March 3, 2008), Ms. Sipple seconded the motion and it carried unanimously.

LPNI00202 - TES Ms. Tuggle moved to order Licensee to have an outpatient Mental/Physical Examination before the June Board Meeting. A failure to do so may cause sanctions against license. Results are to be reviewed by the Cognizant Board Member. If warranted, refer to the Attorney General's Office for a hearing or Consent Order utilizing evaluation results and/or recommendations. If not warranted, close the case. Ms. Sipple seconded the motion and it carried unanimously.

NCLEX-PN APPLICATION REVIEW

(Licensed Practical Nurse Case Number)

LPNI100156 - EBK Ms. Tuggle moved to proceed with licensure by examination and refer to Legal Services for a Private Consent Agreement with a fine of \$250.00 for failure to disclose criminal convictions and proceed with licensure upon receipt of signed order. Order is to be signed by Executive Director with express permission by Board President. Ms. Sipple seconded the motion and it carried unanimously.

REINSTATEMENT APPLICATION REVIEW

(Licensed Practical Nurse Case Number)

LPNI100200 - MKT Ms. Tuggle moved to refer to Legal Services for a Private Consent Agreement with a fines of \$250.00 for failure to fully disclose criminal convictions and \$500.00 for unlicensed practice. Proceed with licensure upon receipt of signed order. Order is to be signed by Executive Director with express permission of Board President.

LPNI100201 - KSW Ms. Tuggle moved to write the applicant a letter requesting outpatient Mental/Physical Examination as a condition of the Board's consideration of the application. Results are to be reviewed by the Cognizant Board Member and if warranted, refer to the Attorney General's Office for a Consent Agreement utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Ms. Sipple seconded the motion and it carried unanimously.

MENTAL/PHYSICAL EXAMINATION REVIEW

(Licensed Practical Nurse Case Number)

LPNI090209 - PA Ms. Sipple moved to deny licensure based on the results of the Mental/Physical Examination indicating chemical dependence. Applicant may reapply after 12 months of documented sobriety. Motion was seconded by Ms. Tuggle and it carried unanimously.

LPNI080062 - JWM Ms. Tuggle moved to close the case. Motion was seconded by Ms. Sipple and it carried unanimously.

REQUEST FOR RECONSIDERATION

(Licensed Practical Nurse Case Number)

LPNI080163 LDH Ms. Tuggle moved to accept documentation as evidence of aftercare treatment in lieu of a Mental/Physical evaluation and to refer the case to the Attorney General's office for a Private Consent Order with 4 years probation, 2 years narcotic restriction and quarterly employer, aftercare and personal reports. Ms. Sipple seconded the motion and it carried unanimously.

LPNI100182 - DLB Ms. Mack moved to rescind previous motion and require the applicant to complete a board approved refresher program to include 80 hours of clinical and 80 hours of didactic, proceeding with licensure upon successful completion. Ms. Sipple seconded the motion and it carried unanimously.

COMPLAINT INVESTIGATION REVIEW

(Licensed Practical Nurse Case Number)

LPNI100036 - JMG Ms. Sipple moved to refer case to the Attorney General's office for a hearing or revocation of Georgia license based on notification of revocation in another jurisdiction and falsification of Georgia application by failing to report sanctions in another state. Motion was seconded by Ms. Tuggle and it carried unanimously.

LPNI100195 - CLS Ms. Tuggle moved to refer case to Legal Services for a Public Consent Order with a fine of \$250.00 based on failure to disclose criminal convictions. Motion was seconded by Ms. Sipple and it carried unanimously.

POSSIBLE VIOLATION OF CONSENT ORDER

(Licensed Practical Nurse Case Number)

LPNI100102 DDK Ms. Sipple moved to allow licensee to accept position with Professional Nursing Services of North America, Limited provided employer is willing to provide random drug screens as requested by the Board. Motion was seconded by Ms. Tuggle and it carried unanimously.

POSSIBLE VIOLATION OF CONSENT AGREEMENT

(Licensed Practical Nurse Case Number)

LPNI100193- SAW Ms. Sipple moved to refer to the Attorney General's office for a hearing for a voluntary surrender or indefinite suspension for failure to pay fine. Ms. Tuggle seconded the motion and it carried unanimously.

VIOLATION OF CONSENT ORDER

(Licensed Practical Nurse Case Number)

LPNI080048 - GJM Ms. Sipple moved to write a letter informing licensee of non-compliance with a Board Order and will be referred to the Attorney General's Office for prosecution. The Attorney General is to proceed with a hearing for indefinite suspension for violation of a previous Consent Order. Motion was seconded by Ms. Tuggle and it carried unanimously.

NCLEX-PN APPLICATION REVIEW

(Licensed Practical Nurse Case Number)

LPNI100154 -AAT Ms. Mack moved to write the applicant a letter requesting an outpatient Mental/Physical Examination as a condition of the Board's consideration of the application. Results are to be reviewed by the Cognizant Board Member. If warranted, refer to the Attorney General's office for a consent agreement utilizing evaluation results and/or recommendations. If not warranted, proceed with licensure and close the case. Ms. Tuggle seconded the motion and it carried unanimously.

VIOLATION OF CONSENT ORDER

(Licensed Practical Nurse Case Number)

LPNI100207 - SRG Ms. Tuggle moved to refer case to the Attorney General's office to seek an indefinite suspension for violation of previous consent order. Ms. Sipple seconded the motion and it carried unanimously.

APPLICATIONS REVIEW

(Application Numbers)

#1215114 - SES Ms. Tuggle moved to refer application to legal services for a private consent agreement to reinstate licensure with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Sipple and it carried unanimously.

#1206366 – JEH Ms. Sipple moved to refer to Legal Services for a private consent agreement to reinstate with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1202428 - JGR Ms. Tuggle moved to refer to Legal Services for a private consent agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Sipple and it carried unanimously.

#1220903 - DLH Ms. Tuggle moved to refer to Legal Services for a private consent agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Sipple and it carried unanimously.

#1220683 - MKR Ms. Sipple moved to allow Board staff to approve refresher program upon receipt of verification of clinical site from the clinical facility to include preceptor information (Form A), sponsorship letter on stationary, verification from Idaho that program is equivalent to 80 hours of theory. Applicant is to be notified in writing. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1120519 - NJE Ms. Sipple moved to request applicant contact New Mexico to release transcript to CGFN&S in order for Georgia to obtain the CES report. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1206366 - JH Ms. Tuggle moved to refer to Legal Services for a private consent agreement to reinstate with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Sipple and it carried unanimously.

#1213505 - KMP Ms. Sipple moved to refer to Legal Services for a private consent agreement to reinstate with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1216634 - JAR Ms. Sipple moved to refer to Legal Services for a private consent agreement to reinstate with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Mack and it carried unanimously.

#1222141 - BAT Ms. Tuggle moved to refer to Legal Services for a private consent agreement to reinstate with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Sipple and it carried unanimously.

#1220752 - RGS Ms. Tuggle moved to refer to Legal Services for a private consent agreement to reinstate with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Mack and it carried unanimously.

#1204248 MAJ Ms. Sipple moved to proceed with licensure by reinstatement upon successful completion of a Board Approved Refresher Program including 80 hours of theory and 160 hours of clinical. Upon completion of the program, applicant is to be licensed with a letter of concern. Motion was seconded by Ms. Tuggle and it carried unanimously.

There being no further business, the meeting adjourned at 5:15 p.m.

THURSDAY, February 11, 2010

MEMBERS PRESENT:

Barbara Mitchell, RN, NHA, President
Jane Sipple, LPN Vice President
Vicky Mack, RN, MSN, Cognizant Member
Le Ann Tuggle, Consumer Member (arriving at 11:00 a.m and leaving at 3:00 p.m.)

MEMBERS ABSENT:

Judy Hilliard, LPN
Mary Lynn Owensby, LPN
Jacqueline Barnes, LPN

STAFF PRESENT:

Sandy Bond, RN, MSN, MBA, Executive Director
Adrienne Price, RN, MSN, Nursing Consultant, Legal
Janet Jackson, JD., Assistant Attorney General
Pam Candler, Board Support Specialist

Ms. Mitchell called the meeting to order at 9:10 a.m. on Thursday, February 11, 2010 and determined that a quorum to conduct business did not exist. Therefore, the members met as a Committee of the Board to hear matters on the Board Agenda for February 11, 2010. As a Committee of the Board, the members will report to the full board their recommendations for actions on matters heard.

EXECUTIVE SESSION

Ms. Sipple moved, Ms. Mack seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§43-1-2(k); 43-1-19(h); 43-26-50 and 43-26-11, to *deliberate on applications and enforcement matters and to receive information on applications, investigative cases and pending cases and make recommendations to the Board on the above items.* The motion passed unanimously. Those voting to enter into Executive Session: Ms. Sipple, Ms. Mack, and Mrs. Mitchell.

At the conclusion of Executive Session on Thursday, February 11, 2010 Ms. Mitchell declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq.

Ms. Tuggle arrived at the meeting.

APPLICATIONS REVIEW:

#1215413 - SP Ms. Tuggle moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Mack and it carried unanimously.

#1209549 - AEP Ms. Sipple moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1207511 – MW Ms. Tuggle moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Sipple and it carried unanimously.

#1216636 – CA Ms. Sipple moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Mack and it carried unanimously.

#1216069 – BG Ms. Sipple moved to proceed with licensure by equivalency after passing the NCLEX-PN examination. Motion was seconded by Ms. Mack and it carried unanimously.

#1215407 – SEI Ms. Sipple moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1210669 – MD Ms. Tuggle moved to deny licensure based on insufficient clock hours. Motion was seconded by Ms. Sipple and it carried unanimously.

#1210695 – PC Ms. Mack moved to deny licensure based on insufficient clock hours. Motion was seconded by Ms. Sipple and it carried unanimously.

#1211389 – TR Ms. Mack moved to deny licensure based on insufficient clock hours and the absence of a verification from nursing program. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1217740- AC Ms. Sipple moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1222225 – CHA Ms. Sipple moved to proceed with licensure by reinstatement. Motion was seconded by Ms. Mack and it carried unanimously.

#1210710 – PR Ms. Sipple moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1215806 – AS Ms. Sipple moved to proceed with licensure by reinstatement. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1217900 – KP Ms. Tuggle moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Sipple and it carried unanimously.

#1219457 – MS Ms. Sipple moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1210708 – HH Ms. Sipple moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$750.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1210932 – MH Ms. Sipple moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Mack and it carried unanimously.

#1218765 – MM Ms. Sipple moved to refer to Legal Services for a Private Consent Agreement to reinstate license with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1198134 – SI Ms. Sipple moved to proceed with licensure by endorsement. Motion was seconded by Ms. Tuggle and it carried unanimously.

#1215650 – PC Ms. Tuggle moved to deny licensure based on insufficient clock hours. Motion was seconded by Ms. Sipple and it carried unanimously.

#1220532 – EF Ms. Sipple moved to deny licensure based on insufficient clock hours and incomplete calculation of clock hours form. Motion was seconded by Ms. Mack and it carried unanimously.

#1196500 – SG Ms. Sipple moved to place the license application on hold and request applicant to provide a credentialing evaluation. Motion was seconded by Ms. Mack and it carried unanimously.

#1208328 – AJ Ms. Tuggle moved to deny licensure based on conflicting calculation of clock hours forms. Motion was seconded by Ms. Sipple and it carried unanimously.

#1222898 – WJ Ms. Tuggle moved to deny licensure based on insufficient clock hours. Motion was seconded by Ms. Sipple and it carried unanimously.

#1217738 – KB Ms. Sipple moved to refer to Legal Services for a Private Consent Agreement to reinstate with a fine of \$500.00 for unlicensed practice and proceed with licensure upon receipt of signed order. Order is to be signed by the Executive Director with express permission by Board President. Motion was seconded by Ms. Tuggle and it carried unanimously.

ATTORNEY GENERAL'S STATUS REPORT – JANET JACKSON

Boatright, Amanda , LPN068736– Ms. Sipple moved to accept the Amended Public Consent Order, with 3 years probation with quarterly employer, personal and after care reports. Licensee is approved to continue employment with home health care provider. Motion was seconded by Ms. Tuggle and it carried unanimously.

Francine Jean-Laurent, LPN064549 – Ms. Sipple moved to accept the Public Reprimand with refresher courses in Medication Administration and Ethics. Motion was seconded by Ms. Mack and it carried unanimously.

LPNI90157 – KO – Ms. Tuggle moved to accept the **Private** Consent Order, with 4 years probation including narcotics restrictions and quarterly employer, personal and after care reports. Motion was seconded by Ms. Sipple and it carried unanimously.

Pruitt, Kellie – LPN071481 – Ms. Tuggle moved to accept the **Public** Consent Order extending probation for one year, with narcotics restrictions and quarterly employer, personal and after care reports. Motion was seconded by Ms. Sipple and it carried unanimously.

Hess, Emory – LPN039428 – Ms. Mack moved to accept voluntary surrender or nursing license which was submitted by licensee. Motion was seconded by Ms. Sipple and it carried unanimously.

LPNI070076 – LC – Ms. Mack moved to close the case with a letter of concern re: substandard care. Motion was seconded by Ms. Sipple and it carried unanimously.

LPNI080053 – CH – Ms. Mack moved to accept the Mental/Physical Examination and close the case. Motion was seconded by Ms. Sipple and it carried unanimously.

LPNI070093 & LPNI080140 AL – Ms. Sipple moved to order licensee to have an outpatient Mental/Physical Examination. Results are to be reviewed by the Cognizant Board Member, if warranted refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendation. If not warranted, close the case. Motion was seconded by Ms. Mack and it carried unanimously.

LPNI100167 SS – Ms. Sipple moved to close the case with a non-compliance letter. Motion was seconded by Ms. Mack and it carried unanimously.

Ms. Jackson also updated the board on pending cases that she is currently preparing for further Board action, and closed cases since the previous board meeting.

Ms. Sipple moved to accept the Attorney General's Status and Activity Report and to accept Consent Agreements/Orders and other actions as prepared by the Attorney General's office. Ms. Tuggle seconded the motion and it carried unanimously.

PROPOSED RULES AMENDMENTS

Board members proposed the following amendments to the Rules of the Georgia Board of Examiners of Licensed Practical Nurses.

Ms. Sipple moved to post the revised rule during the Board Meeting of the Georgia Board of Examiners of Licensed Practical Nurses held on February 11, 2010 in Macon, Georgia, to approve the posting of revisions to Rule 400-1-.01. Ms. Tuggle seconded the motion and it carried unanimously.

Ms. Mack moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Ms. Sipple seconded the motion and it carried unanimously.

400-1-.01 ORGANIZATION OF BOARD. AMENDED

(1) The purpose of the Georgia Licensed Practical Nurses Practice Act is to protect, promote and preserve the public health, safety and welfare through the regulation and control of practical nursing education and practice. Any person practicing or offering to practice practical nursing for compensation in Georgia shall be licensed under the provisions of the Act, and the rules promulgated in accordance with the Act, as implemented and administered by the Georgia Board of Examiners of Licensed Practical Nurses.

(2) All Rules and Regulations pertaining to the administration of the Georgia Board of Examiners of Licensed Practical Nurses shall be administered by the Secretary of State through the ~~Office of the Joint Secretary~~ Professional Licensing Boards Division, located at ~~166 Pryor Street, Atlanta Georgia, 30303~~ 237 Coliseum Drive, Macon, GA 31217. ~~The Joint Secretary shall be the secretary of the Board and~~ The public may obtain information and any necessary forms from the office of the Secretary of State, Professional Licensing Boards Division.

(3) The Georgia Board of Examiners of Licensed Practical Nurses shall be composed of seven (7) members appointed by the Governor. Board members shall consist of the following: a registered professional nurse, engaged in licensed practical nurse education, a nurse who is an administrator at a hospital or nursing home, four licensed practical nurses and one consumer member. No two members shall be employed by the same employer while serving on the Board. Board members are to serve no more than two consecutive full terms, a term being three (3) years. However, a member shall continue to serve until a successor is appointed and qualified.

Authority Ga 1., 1981, pp. 1815, 1817, 1824-1826; O.C.G.A. Sec. 43-26-34. **History**, Original Rule entitled "Organization of Board" was filed and effective on June 30, 1965. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed March 31, 1968, effective April 1, 1968. **Amended:** Filed July 21, 1977; effective August 10, 1977. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed February 5, 1982, effective February 25, 1982. **Repealed:** New Rule of same title adopted F. May 19, 1994, eff. June 8, 1994.

Authority: OCGA §§ 43-26-30, 43-26-31, 43-26-34, 43-26-35.

Ms. Mack moved to post the revised rule during the Board Meeting of the Georgia Board of Examiners of Licensed Practical Nurses held on February 11, 2010 in Macon, Georgia, to approve the posting of revisions to Rule 400-2-.01. Ms. Tuggle seconded the motion and it carried unanimously.

Ms. Sipple moved that the formulation and adoption of these rules do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Ms. Mack seconded the motion and it carried unanimously.

400-2-.01 QUALIFICATIONS: REGULAR EXAMINATION CANDIDATES LICENSURE BY EXAMINATION

~~(1) Upon proof being properly submitted to the Board that the applicant has successfully completed a Georgia approved practical nursing program before the exam date and, upon proof that the applicant meets the statutory qualifications to become a licensed practical nurse in Georgia, and upon proof of payment of proper fees, the Board will allow the applicant to take such examination as prescribed therefore.~~

The Board will authorize an applicant for licensure, who has graduated from a nursing education program as defined by OCGA § 43-26-32, to take such examination as prescribed therefore: the NCLEX-PN Examination after submitting to the Board proof of the following:

- a. the applicant has successfully completed a Board approved nursing education program located in Georgia prior to the licensing examination date;
- b. the applicant must meet the statutory qualifications to become a licensed practical nurse in Georgia; and
- c. the required fees have been paid.

Ms. Tuggle left the Board meeting, but will be available by telephone to vote on matters presented after her departure.

INVESTIGATIVE INTERVIEW

LPNI080260 – FPC Ms. Sipple moved to close the case with a letter of concern to licensee concerning documentation and resident rights. Motion was seconded by Ms. Tuggle and it carried unanimously.

BOARD COGNIZANT REPORT

Ms. Sipple moved to accept the Board Cognizant Report from Barbara Mitchell on the following cases:

LPNI100148 YA Issue a temporary license and refer to Legal Services for a **Private** Consent Agreement and a fine of \$500.00 for unlicensed practice.

LPNI100149 CCF Issue a temporary license and refer to Legal Services for a **Private** Consent Agreement and a fine of \$500.00 for unlicensed practice.

LPNI100150 PB Issue a temporary license and refer to Legal Services for a **Private** Consent Agreement and a fine of \$500.00 for unlicensed practice

LPNI100151 DB Issue a temporary license and refer to Legal Services for a **Private** Consent Agreement and a fine of \$500.00 for unlicensed practice

LPNI100152 KP Issue a temporary license and refer to Legal Services for a **Private** Consent Agreement and a fine of \$500.00 for unlicensed practice

Motion was seconded by Ms. Tuggle and it carried unanimously.

SUSPENSION OF LICENSE – DEFAULT ON STUDENT LOAN

Ms. Mack moved to suspend the license of Mandy S. Rose, LPN064910, to practice as a licensed practical nurse for defaulting on Licensee's student loan and further moved that this suspension will cease upon receipt by the Division Director of a notice of release from the Georgia Higher Education Assistance Corporation. Motion was seconded by Ms. Sipple and it carried unanimously.

LICENSES ADMINISTRATIVELY ISSUED

Ms. Tuggle moved to ratify the list of 282 licenses administratively issued from November 25, 2009 to February 3, 2010. Motion was seconded by Ms. Sipple and it carried unanimously.

PUBLIC MEETING

Because of budget constraints and ongoing quorum difficulties, Ms. Sipple moved to cancel the Georgia Board of Examiners of Licensed Practical Nurses Public Meeting scheduled for April 14, 2010 and change the Board Meeting Dates to April 14, 2010 and April 15, 2010. Motion was seconded by Ms. Mack and it carried unanimously.

There being no further business, the meeting adjourned at 4:20 p.m.

Barbara Mitchell, RN, NHA, **President**

Sandy Bond, RN, MSN, MBA, **Executive Director**

The minutes of the Board Meeting were recorded by Pam Candler, Board Support Specialist and approved on ____April 14, 2010____